

AMENDMENT UNDER 37 C.F.R. §1.111
Application No. 10/552,070

AMENDMENTS TO THE DRAWINGS

Please replace the original drawing sheets 1/5 - 5/5 with the enclosed replacement formal drawing sheets 1/5 - 5/5 containing amended Figs. 1-5b in which the French language has been replaced with the English language.

Attachment: Replacement Sheets 1/5 - 5/5

REMARKS

Specification

Applicant has amended the specification to describe “what constitutes” the “detection means” recited in claim 13. The detection means for determining the direction of passage arranged in the electronic units (transponders) are well defined in the specification (see page 2, lines 16-19 and 27-29; page 5, lines 14-20; and page 12, lines 29 to page 13, line 11). The hardware forming these detection means is substantially the antenna 28, the low frequency reception module 46 and the electronic unit 44.

Claim Objections

Applicant respectfully requests the Examiner to reconsider and withdraw the objection to claims 11-20 in view of the above claim amendments which are made to overcome the Examiner’s stated grounds in support of the objection.

Drawings

Applicant requests the Examiner to accept the enclosed replacement formal drawing sheets 1/5 - 5/5 which contain English legends.

Claim Rejections - 35 U.S.C. § 103

Applicant respectfully **traverses** the rejection of claims 11, 13, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Vercellotti ‘309 in view of Nishimura ‘346.

Such a rejection requires that the combined teachings of the two references describe, or at least suggest, the entire subject matter of each of the rejected claims 11, 13, 16 and 17.

Applicant respectfully submits that clearly such is **not** the case here, as the combined teachings of the two references do not teach or suggest **all the limitations** of each of these rejected claims.

More specifically, Vercellotti combined with Nishimura does not disclose, or even suggest, the claimed "system". In fact, the two limitations mentioned by the Examiner are **not** disclosed or even suggested in Vercellotti.

First, the cards or portable electronic units of Vercellotti have a high frequency transmission module for transmitting only a UHF signal (beacon signal, see col. 5, lines 46-58).

Second, it is not correct that the "LF signals comprises selection information indicating which of the modes should be utilized...".

In fact, Vercellotti discloses two modes which are always combined together. At the portal, the electronic units are activated through an LF signal, and then they automatically switch to the beacon mode when the LF energy is no longer received. There is, thus, no "selection". The mode used is determined only by the position of the electronic unit, that is, in the region of the portal or outside this region.

The above amendment to the last paragraph of claim 11 is made to clarify the last "wherein" limitation in the event that the original language was not clear to the Examiner. This last limitation is essential to the claimed invention and solves the problem of having two possible systems (WIWO, BIBO).

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Neither Vercellotti nor the Vercellotti/Nishimura combination teaches, or even suggests, this critical limitation. The transponders of Vercellotti are arranged to be used in a unique system with an activation LF signal received by the transponders at a portal, and transponder UHF signals received by a portal receiver or by directional antennas (5 and 6) in the security region.

Thus, it is clear that the Vercellotti/Nishimura combination does not teach, or even suggest, all the limitations of the rejected claims 11, 13, 16 and 17, or the subject matter which would have rendered these claims obvious.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

Applicants notes the allowability of claims 11-15 and 18-20 if they are rewritten in independent form; however, Applicant requests the Examiner to hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the rejection of claims 11, 13, 16 and 17 under 35 U.S.C. § 103(a).

Thus, Applicant respectfully submits that the application now is in condition for allowance with claims 11 and 13-20; however, if the Examiner should disagree, Applicant respectfully requests the Examiner to call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to

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Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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